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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# NEW UTILITY PATENT APPLICATION TRANSMITTAL

(only for new nonprovisional applications under

37 CFR 1.53(b))

Attorney Docket Number 21153-04920

First Named Inventor Jeffrey D. Walker

Title Integrated optical device including a vertical lasing semiconductor optical amplifier

Express Mail Label No. EL566108267US

APPLICATION ELEMENTS		ACCOMPANYING APPLICATION PARTS	
1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate)		7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))	
2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		8. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	
3. <input checked="" type="checkbox"/> Specification <i>(preferred arrangement set forth below)</i>	Total Pages 43	9. <input checked="" type="checkbox"/> Power of Attorney or Authorization of Agent	
<input type="checkbox"/> Descriptive Title of the Invention <input type="checkbox"/> Cross Reference(s) to Related Case(s) <input type="checkbox"/> Statement Regarding Fed sponsored R & D <input type="checkbox"/> Background of the Invention <input type="checkbox"/> Brief Summary of the Invention <input type="checkbox"/> Brief Description of the Drawing(s) <input type="checkbox"/> Detailed Description <input type="checkbox"/> Claim or Claims <input type="checkbox"/> Abstract of the Disclosure		10. <input type="checkbox"/> 37 CFR 3.73(b) Statement	
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113)	Total Sheets 28	11. <input type="checkbox"/> Preliminary Amendment	
5. Oath or Declaration		12. <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Citation(s)	
a. <input checked="" type="checkbox"/> New Declaration	Total Pages 1	13. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent	
<input checked="" type="checkbox"/> Executed (original or copy)		14. <input checked="" type="checkbox"/> Return Postcard	
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i>		15. <input type="checkbox"/>	
<i>i.</i> <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).		16. <input type="checkbox"/>	
6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		17. <input type="checkbox"/>	
ADDRESS TO: Box Patent Application Commissioner for Patents Washington, D.C. 20231			

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

Continuation  Divisional  Continuation-in-part (CIP) of prior application No: \_\_\_\_ / \_\_\_\_

Prior application information: Examiner: \_\_\_\_\_ Group/Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS



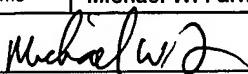
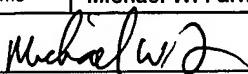
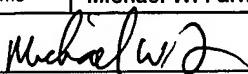
Customer Number and Bar Code Label

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Name (Print/Type)	Michael W. Farn	Registration No. (Attorney/Agent)	41,015
Signature			Date December 11, 2001

0002/PTO(modified) U.S. Department of Commerce  
Rev. 10/2001 Patent and Trademark Office**FEE TRANSMITTAL****TOTAL AMOUNT OF PAYMENT**Subtotal (1) + Subtotal (2) + Subtotal (3) = **( \$(620)****Complete if Known**

Application Number	Unassigned
Filing Date	December 11, 2001
First Named Inventor	Jeffrey D. Walker
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	21153-04920

<b>METHOD OF PAYMENT</b>		<b>FEES CALCULATION (continued)</b>																																																																																																																																																												
<b>1. The Commissioner is hereby authorized to:</b> <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. † <input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27		<b>3. 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Farn</b></td> <td colspan="3"></td> <td>Reg. 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† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Jeffrey D. Walker
Title	Integrated optical device including a vertical lasing semiconductor optical amplifier
Atty Docket Number	21153-04920

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

December 11, 2001

Date



Signature

Michael W. Farn, Reg. No. 41,015  
Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.